



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,070	02/12/2002	Rajesh Kumar Varma	GLS-021	6677

7590 07/16/2004

Alfred D. Lobo, Esq.,  
LOBO & CO., L.P.A.  
933 The Leader Bulding  
526 Superior Avenue  
Cleveland, OH 44114-1401

EXAMINER

MULLIS, JEFFREY C

ART UNIT	PAPER NUMBER
----------	--------------

1711

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

10/074,070

Applicant(s)

VARMA, RAJESH KUMAR

Examiner

Jeffrey C. Mullis

Art Unit

1711

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☒ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: see attachment.

3. ☒ Applicant's reply has overcome the following rejection(s): see attachment.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☒ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: all.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_.

Jeffrey C. Mullis  
J Mullis  
Art Unit: 1711

Continuation of 2. NOTE: claim 1 contains an extraneously introduced dash; amendment to "table 1" is actually to table II.

Applicant's arguments filed 17 and 28 June 2004 have been fully considered but they are not persuasive.

Applicants' are reminded that none of their after FINAL amendments have been entered since amendments are not entered in part and applicants after FINAL amendments contain errors in amending both the specification and claims. Therefore applicants should amend the specification and claims as they stood officially of record as of the date of the FINAL Office action. Unfortunately amendments are not entered in part and hence applicants after FINAL amendments have not been entered at all since they contain errors, namely an extraneous dash in claim 1 and an amendment to "Table 1" on page 23 when Table 2 was intended.

Applicant's drawings 1, 3 and 4 will be amended by examiner's amendment as "prior art" at allowance. Applicants should notify the Office if they believe any other drawings are prior art.

Applicant's declaration has not been considered since one is illegible and the other is unsigned.

The art rejection has been withdrawn since Baranowski does not teach or suggest applicant's polyisobutenes.

Applicant's remarks regarding the rejection under 35 USC 112, first paragraph are moot since this rejection is hereby withdrawn.

The objection to the specification as containing new matter is maintained. Applicants may submit a signed declaration which is legible. Applicants should also point out why those skilled in the art would view applicant's amendment to table 2 as

Art Unit: 1711

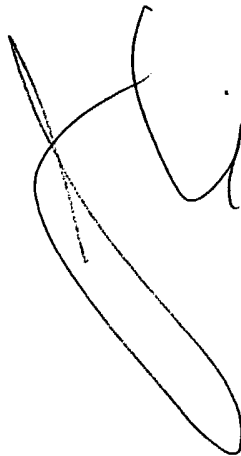
what was intended in addition to arguing why those skilled in the art would view Table 2 as containing errors.

Applicants should amend the first line of the specification to recite that benefit of provisional application 60/268,461 is claimed since the words "filed subsequent to" do not imply that priority is claimed to this application.

JCM

7-6-04

Jeffrey Mullis  
Primary Examiner  
Art Unit 1711

A handwritten signature in black ink, appearing to be 'JCM', written over the printed name of the examiner.